

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ANTHONY REID, *et al.*,
Plaintiffs,**

v.

**JOHN E. WETZEL, *et al.*,
Defendants.**

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CIVIL ACTION NO. 21-CV-5108

AMENDED ORDER

AND NOW, this 13th day of January, 2022, the Court having received signed Declarations from each named Plaintiff in compliance with Federal Rule of Civil Procedure 11 (ECF No. 43), but because certain Plaintiffs who have filed applications to proceed *in forma pauperis* in this case do not qualify for that status, it is **ORDERED** that:

1. The Motions to Proceed *In Forma Pauperis* filed by Aaron Jones (ECF No. 5), Michael Pruitt (ECF No. 25), Richard Laird (ECF No. 11) and Jakeem Towles (ECF No. 45) are **DENIED** because each has sufficient funds to pay the \$402 fee (the \$350 filing fee and \$52 administrative fee) to commence this case.¹

2. If Jones, Pruitt, Laird, or Towles seek to proceed with this case, they shall remit \$402 to the Clerk of Court within thirty (30) days of the date of this Order. **Only one payment totaling \$402 is required**; the Court expresses no direction on how these, or any other persons listed in the Complaint, shall assume the responsibility to make the payment. Any money paid toward the fees is not refundable, even if this case is dismissed.

¹ Jones's prison account statement reflects a balance of \$4,919, Pruitt's statement reflects a balance of \$3,508, Laird's statement reflects a balance of \$3,130, and Towles's statement reflects a balance of \$2,180. Accordingly, the Court concludes that each is capable of paying \$402 in fees to commence this case.

3. In the event the filing fee is paid, the Clerk shall not issue summonses until so **ORDERED**, so that the Court may screen the Complaint pursuant to 28 U.S.C. § 1915A.

4. In the event the filing is not paid, the claims of Aaron Jones, Michael Pruitt, Richard Laird, Jakeem Towles will be dismissed without prejudice for failure to prosecute.

5. The Court defers action at this time on all other pending motions to proceed *in forma pauperis* filed in this case.²

BY THE COURT:

/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.

² In the event the \$402 total filing fee is **not** paid initially as directed in this Order, each Plaintiff who may be granted leave to proceed *in forma pauperis*, as well as Plaintiff Anthony Reid who was previously granted leave to proceed *in forma pauperis*, will have to pay a filing fee of \$350 **EACH** if they seek to proceed with this case, as required by the Prison Litigation Reform Act.